

### REMARKS

Consideration of this Second Amendment After Final Rejection is earnestly solicited. This Second Amendment is responsive to the Final Office Action of October 26, 2006 and the Examiner's most helpful comments received in the Advisory Action date December 8, 2006, wherein Applicant's "Response to the Final Office Action Dated October 26, 2006 was not entered.. As explained below, in addition to the amendments not entered, the Applicant has further amended Claim 35.

Claims 37 and 38 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants have amended Claims 37 and 38 as suggested by the Examiner. It is therefore respectfully submitted that this rejection is now moot. The Examiner notes that the amendment, if entered will overcome the rejections under 35 U.S.C. § 112, second paragraph as to Claims 37 and 38.

Claims 34-38 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Examiner states that the limitation "wherein said color developer does not contribute oxygen to said reaction" is "new matter". The Applicant notes with appreciation that, if entered, the new matter rejection with respect to Claim 34 would be overcome.

In the Applicant's proposed Response filed 27 November 2006 (not entered), the undersigned attorney mistakenly deleted the wrong phase. The presently proposed amendment makes that correction by deleting the objected to phase and reinserting the earlier erroneously canceled phrase. The undersigned apologizes for the inconveniences caused by the erroneous amendment.

Now that the Applicant has canceled the objected to phrase in Claim 35, it is believed that this rejection is moot.

App. No.: 10/714,208

Amendment Dated December 11, 2006

Reply to Final Office Action of October 26, 2006 and Advisory Action of December 8, 2006

There being no further rejections to the claims, it is respectfully submitted that this Amendment be entered and Claims 30-38 be allowed.

Respectfully submitted,

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